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October 20, 2000

BY FACSIMILE

Dr. Mark J. Mazur
Acting Administrator
Energy Information Administration
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Dr. Mazur:

I am deeply disappointed that you decided to postpone, until late December 2000, release of the Energy Information Administration's (EIA's) analysis of "multi-pollutant" strategies to reduce air emissions from power plants. As noted in my October 4th letter, on June 29th, I wrote to your predecessor, Mr. L.A. Pettis, requesting that EIA complete its analysis by October 1st. On August 1st, Mr. Pettis wrote to me, confirming that, by October 1st, EIA would complete its analysis of "multi-pollutant" emission caps for sulfur dioxide (SO₂), nitrogen oxide (NO_x), and carbon dioxide (CO₂).

I requested timely release for a very specific reason: so that EIA's analysis would be able to inform public discussion of energy and environmental issues during the current election cycle. You, however, decided to withhold EIA's analysis from Congress and the public until many weeks after the election.

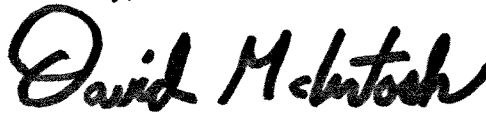
I find this troubling, especially in light of the main "qualitative" conclusion outlined in your October 11th letter. You state: "stringent constraints on carbon dioxide emissions in the electricity generation sector can be met only through fuel-switching -- primarily the substitution of natural gas for coal." In other words, mandatory emission caps for CO₂ have the potential to wipe out coal-fired generation in the United States. Since coal generation supplies over half of all U.S. electricity, this is no trifling matter. Yet, to my knowledge, no independent body of experts has produced an analysis of the economic impacts of such policies. Timely publication of EIA's analysis would have filled a critical gap in public information during an election cycle in which the issues EIA has analyzed are in play. That opportunity is now lost.

The public may be shortchanged in other ways as well. The Environmental Protection Agency (EPA) will soon propose a modified New Source Review (NSR) regulation that may feature "multi-pollutant" emissions caps. EIA's analysis is the very sort of independent assessment EPA should consider before proposing such a rule. Postponing the release date by almost three months may prevent or hinder EPA from taking EIA's analysis into account. The delay may also impede informed public comment on a "multi-pollutant" NSR rule.

I understand that EIA's *Annual Energy Outlook 2001* will not be completed until December, and that you want to incorporate the *AEO2001* forecast into EIA's analysis of "multi-pollutant" strategies. However, the fact that new baselines may generate new results is not a good reason to withhold an analysis EIA has already completed. On that logic, EIA should not release any analysis, no matter how timely or important, and regardless of written assurances EIA has given, if EIA anticipates that next year's *AEO* forecast will differ from this year's. But, next year's forecast will always differ in some respects from this year's -- that is why the *AEO* report is an annual exercise. Releasing EIA's current analysis would in no way preclude EIA from subsequently publishing a more comprehensive, updated assessment.

Finally, I cannot help observing that your reconsideration of the October 1st deadline was prompted by the 11th-hour intervention of a prominent advocate of "multi-pollutant" strategies. I hope this does not signal a retreat from the candor and independence that have made EIA a unique "reality check" on Washington's regulatory agendas. Your October 11th letter states that, by late December, EIA will provide me with a comprehensive set of cost estimates for "multi-pollutant" emissions caps on SO₂, NO_x, and CO₂, as well as a separate analysis of the potential impacts of the NSR litigation, along the lines proposed in my September 25th letter. May I assume that this deadline is hard and fast, and will not be allowed to slip?

Sincerely,



David M. McIntosh

Chairman

Subcommittee on National Economic Growth,
Natural Resources, and Regulatory Affairs

cc: The Honorable Dan Burton
The Honorable Dennis J. Kucinich
The Honorable Henry A. Waxman
The Honorable Frank H. Murkowski
The Honorable Larry E. Craig